

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

Time.165

Total Pages in this Submission

48

PT16

10/61618

10302 U.S.

07/09/03

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

**Box Patent Application  
Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**Method for Generating Communication Signal Sequences Having Desirable Correlation Properties and System for Using Same**

and invented by:

Pendergrass, Marcus H.

Brethour, Vernon R.

Fullerton, Larry W.

Richards, James L.

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
  
2.  Specification having 44 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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## Application Elements (Continued)

3.  Drawing(s) (when necessary as prescribed by 35 USC 113)
  - a.  Formal Number of Sheets \_\_\_\_\_
  - b.  Informal Number of Sheets 11
4.  Oath or Declaration
  - a.  Newly executed (original or copy)  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
  - a.  Computer Readable Form (CFR)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(B) Statement (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Certificate of Mailing

First Class  Express Mail (Specify Label No.): EU469416012US

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

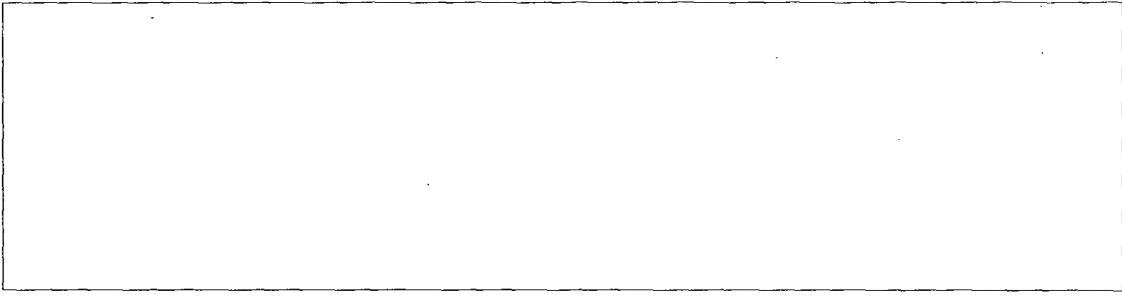
*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

17.  Applicant claims small entity status. See 37 CFR 1.27.  
 (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_

18.  Additional Enclosures (*please identify below*):  


**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

19.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

***Warning***

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	F
Total Claims	43	- 20 =	23	x \$9.00	\$207.00
Indep. Claims	3	- 3 =	0	x \$42.00	\$0.00
Multipl Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$375.00
OTHER FEE (specify purpose)					\$40.00
				TOTAL FILING FEE	\$622.00

A check in the amount of \$613.00 to cover the filing fee is enclosed.  
 The Commissioner is hereby authorized to charge and credit Deposit Account No. 50231 as described below. A duplicate copy of this sheet is enclosed.  
 Charge the amount of \_\_\_\_\_ as filing fee.  
 Credit any overpayment.  
 Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.  
 Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 7/9/03



George P. Kobler, Esq.  
Time Domain Corporation  
7057 Old Madison Pike  
Huntsville, AL 35806

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s):

Docket No.

Time.165

Serial No.

Not Yet Assigned

Filing Date

Examiner

Not Yet Assigned

Group Art Unit

Not Yet Assigned

Invention: Method for Generating Communication Signal Sequences Having Desirable Correlation Properties and System for Using Same

I hereby certify that the following correspondence:

**Utility Patent Application***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

July 9, 2003*(Date) ap***Elizabeth Patrick***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EU469416012US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	
First Named Inventor	Pendergrass, Marcus H.
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	Time.165

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number **502391**  
 Deposit Account Name **Time Domain Corporation**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee / Fee Code (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	<b>375.00</b>
1002	330	2002	165	Design filing	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)			(\$)	<b>\$375.00</b>	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	43 -20** =	23 X 9.00 =	<b>207.00</b>
Independent Claims	3 - 3** =	0 X 42.00 =	<b>0.00</b>
Multiple Dependent			

Large Entity	Small Entity	Fee Code (\$)	Fee / Fee Code (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)			(\$)	<b>\$207.00</b>

\*\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Fee Description	Fee Paid
Large Entity	Small Entity	
Fee Code (\$)	Fee Code (\$)	
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130 Non - English specification
1812	2,520	1812 2,520 For filing a request for ex parte reexamination
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action
1251	110	2251 55 Extension for reply within first month
1252	410	2252 205 Extension for reply within second month
1253	930	2253 465 Extension for reply within third month
1254	1,450	2254 725 Extension for reply within fourth month
1255	1,970	2255 985 Extension for reply within fifth month
1401	320	2401 160 Notice of Appeal
1402	320	2402 160 Filing a brief in support of an appeal
1403	280	2403 140 Request for oral hearing
1451	1,510	1451 1,510 Petition to institute a public use proceeding
1452	110	2452 55 Petition to revive - unavoidable
1453	1,300	2453 650 Petition to revive - unintentional
1501	1,300	2501 650 Utility issue fee (or reissue)
1502	470	2502 235 Design issue fee
1503	630	2503 315 Plant issue fee
1460	130	1460 130 Petitions to the Commissioner
1807	50	1807 50 Processing fee under 37 CFR § 1.17(q)
1806	180	1806 180 Submission of Information Disclosure Statement
8021	40	8021 40 Recording each patent assignment per property (times number of properties) <b>40.00</b>
1809	750	2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810 375 For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801 375 Request for Continued Examination (RCE)
1802	900	1802 900 Request for expedited examination of a design application
Other fee (specify)		
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)
		<b>\$40.00</b>

SUBMITTED BY	Complete if applicable			
Name (Print/Type)	George P. Kobler	Registration No. (Attorney/Agent)	46,837	Telephone 256-428-6582
Signature		Date	7/9/03	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS - SEND TO: Commissioner for Patents, Washington, DC 20231

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant: Time Domain CorporationApplication No.: Not Yet AssignedFiled: July 9, 2003Entitled: Method for Generating Communication Signal Sequences Having Desirable Correlation Properties...Time Domain Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

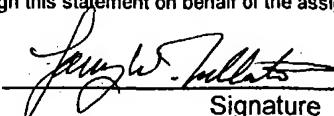
Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

July 9, 2003

Date



Signature

Larry W. FullertonTyped or printed nameChief Scientist and Funder

Title